IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

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WRIT PETITION NO : 21 of 2005

Between:

1 P.Malleswari W/o.P.Ramachandra Reddy, R/o D.No.8-310, Madanapalli Road, Chinna Thippa Samudram (CTM), Madanapalli Mandal, Chittoor District.
2 P.Soujanya W/o.Bindu sara, R/o D.No.8-310, Madanapalli Road, Chinna Thippa Samudram (CTM), Madanapalli Mandal,
Chittoor District.

..... PETITIONERS

AND

1 A.P.State Financial Corporation rep by its Branch Manager, Tirupathi, Chittoor District.
2 A.P.Financial Corporation, Chirag Ali Lane, Hyderabad, represented by its Managing Director.
3 The Special Deputy Tahsildar, A.P.State Financial Corporation, Tirupathi Branch, Chittoor District.
4 P.Ramachandra Reddy S/o.P.Narayana Reddy
M/s.R.R.Real Estates Resorts Ltd., Perumallapalle,Tirupathi,
Chittoor District.
5 Kanchi Surya Reddy S/o.K.Munuswamy Reddy
D.No.19-9-2,Tiruchanur Road, Tirupathi,Chittoor Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the proceedings in AFC/SDT/RRACT/2004-05/7498, dt 18-12-2004 and AFC/SDT/RRACT/2004-05/7499, dt 18-12-2004, issued by the third respondent, directing the petitioners to deposit a sum of Rs 25,07,280/- as arbitrary,

illegal, improper and unjust and further declare that the entire proceedings right from the seizure of the unit till to date are unsustainable and illegal.

Counsel for the Petitioners : MR.BOMMANARAMAKRISHNA

Counsel for the Respondents 1 to 3 : MR.Y.N.LOHITA

The Court, at the stage of admission, made the following :

ORDER:

The impugned notice is only a Show-Cause Notice calling upon the petitioners to show cause as to why the proceedings shall not be initiated against them, for due recovery of the amount under the provisions of the A.P. Revenue Recovery Act, 1864. Petitioners can submit their explanation to the show cause notice, and only on passing the final orders thereon, they can question the same. However, without submitting the explanation, and a final order is passed, the petitioners cannot question the Show-Cause Notice.

In view of the same, one week time is granted to the petitioners to submit their explanation to the Show-Cause Notice, and liberty is granted to them to question the final orders that may be passed.

Accordingly, the writ petition is disposed of with the above observations.

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(A.GOPAL REDDY,J)

Date: 05.01.2005

ts/gj

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To

1 The Branch Manager, A.P.State Financial Corporation, Tirupathi, Chittoor District.
2 The Branch Manager, A.P.Financial Corporation, Chirag Ali Lane, Hyderabad.

3 The Special Deputy Tahsildar, A.P.State Financial Corporation, Tirupathi Branch, Chittoor District.
4 Two C.D. copies.